

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
PROBATE DIVISION

Estate of _____ 1986 _____ ADM 001663
Gilbert V. Harke (Link to _____ WIL _____)
Deceased Age 79

PETITION FOR PROBATE

(For decedents dying on or after January 1, 1981 through June 30, 1995)

- ☒ Petition for Abbreviated Probate ☐ Petition for Standard Probate
☐ Appointment of Personal Representative(s) ☐ Appointment of Co-Personal Representative(s)
☒ Appointment of Successor Personal Representative(s) ☐ Appointment of Special Administrator(s)

The Petition of:

Name	Barbara A. Harke	Age	81	705 South Lakeshore Dr. Lake Geneva	Address
Name		Age		Wisconsin 53147	Address
Name		Age			Address

hereinafter "petitioner" being a citizen of the United States or a lawfully admitted permanent resident thereof, of legal age, and not otherwise excluded from acting as personal representative pursuant to D.C. Code, sec. 20-303(b), states the following:

1. Gilbert V. Harke of the District of Columbia, residing at 487 Michigan Ave. NE Wash. D.C. 20017 died at Georgetown University Hospital on March 21, 1986 (with) (without) a will.
Petitioner is entitled to be appointed personal representative of the decedent's estate under D.C. Code, sec. 20-303 for the following reasons: Petitioner is the Niece of Decedent. Petitioner is currently challenging/litigating the ownership of an estate asset claimed by previous Person. Rep.
3. The court has jurisdiction in this matter because —
☒ the decedent died domiciled in the District of Columbia
☐ other — please state basis for jurisdiction _____
4. There are no other proceedings regarding the administration of the estate except _____
seeks to re-open the estate after discovery of an asset.
5. The petitioner has made a diligent search for wills and codicils of the decedent, and, to the best knowledge of the petitioner, the will dated N/A
dated _____ accompanying this petition (is) (are) the
decedent's last will, and petitioner knows of no later will or codicil, and said will and codicil(s), if any, came into petitioner's hands in the following manner: N/A
6. All information required pursuant to D.C. Code, sec. 20-304(a) has been furnished except
N/A

September 2010 - 1108.10.v1

Exh. C

The decedent was survived by - (please check appropriate boxes)

- a. ☐ Spouse ☒ No spouse. Check appropriate box and go to b.
 b. ☐ Children. ☐ Descendants of predeceased children. If so, stop here; if not, go to c.
 c. ☐ Grandchildren. ☐ Descendants of predeceased grandchildren. If so, stop here; if not, go to d.
 d. ☐ Parents. If so, stop here; if not go to e.
 e. ☐ Brothers and/or Sisters. ☐ Descendants of predeceased brothers and/or sisters. If so, stop here; if not, go to f.
 f. ☒ Nieces and/or Nephews. ☐ Descendants of predeceased nieces and/or nephews. If so, stop here; if not, go to g.
 g. ☐ Uncles and/or Aunts. If so, stop here; if not, go to h.
 h. ☐ First cousins. If so, stop here; if not, go to i.
 i. ☐ Grandparents. If so, stop here; if not, go to j.
 j. ☐ Other heirs. If none, go to k.
 k. ☐ Notify Office of the Attorney General, Chief of the Civil Enforcement Section, 441 4th Street, N.W., Washington, DC 20001.

LIST OF INTERESTED PERSONS must include names of heirs if decedent died intestate; heirs and legatees, including trustees and all named Personal Representatives, if the decedent died testate. Refer to D.C. Code, sec. §19-301 through 312 and 20-101(d)(1). If under age of 18 or an adult who is legally disabled, also list as an interested person the judicially appointed guardian, conservator or committee for such person. If no judicially appointed representative exists then list the parent or custodian or an attorney-in-fact. If any, for such person (subject to the terms of the power of attorney) or any other person with legal authority to act for such disabled person.

Note: If each trustee is also a petitioning party or acting personal representative, list all beneficiaries under trust. Refer to D.C. Code, sec. 20-101(g). Any creditor of the decedent, including those persons whose rights accrue at the time of death, who has timely presented a claim in excess of \$500 that has not been barred or discharged is also an interested person. Petitioner(s) should update list of interested persons or creditors with claims in excess of \$500 as they become known.

Indicate, when applicable, grandchildren and nieces and nephews by family groups by showing the name of their deceased parent who was related to the decedent.

Sample:

Joe Petitioner	1234 Hexagon Street, N.W.	Son/heir/legatee/petitioner
	Washington, D.C. 20000	

Interested persons	Address	Relationship (Age, if under 18)
See Continuation Sheet over		

(Use continuation sheet if necessary)
WITNESSES TO WILLS/CODICILS (Names)

N/A

Barbara A. Hartke (DECEASED)

Eugene Hartke (DECEASED)

Edna T. Hartke (DECEASED)

Barbara A. Hartke 705 South Lakeshore Dr. #2H Lake Geneva Wisconsin 53147.

Niece/heir/petitioner

Inez Kuipers Bucher (Unknown—Possibly deceased)
niece/heir

Kathrine Faith Prior DECEASED 2000

The Art and Music Exchange 235 Gallatin St. NW, WDC

listed creditor

listed creditor

Character, Location and Estimated Value of Property Titled in Decedent's Name:

A. Real Property located in the District of Columbia
Estimated Value

NONE

Total \$0.00

B. Personal Property located in the District of Columbia and other jurisdictions

B1. Value of household furniture, automobiles, furnishings, appliances and personal effects

\$ 0.00

B2. Value of all other personal property

\$ 800,000

Heir/petitioner discovered an asset of the Estate— "Wizard of Oz dress" from the film *The Wizard of Oz*. (See article attached).

Personal Property Total

Total \$ 800,000

C. (A+B)

Total \$ 800,000

D. Debts and Funeral Expenses
 Debts secured: **Unknown**

Total \$ _____

☐ Debts Unsecured: **Unknown**

Total \$ _____

Funeral Expenses:

☐ Paid by: **Unknown**

Amount paid \$ _____

name

Unpaid **Unknown**

Total \$ _____

Inheritance taxes, if the decedent died prior to April 1, 1987. Only on personal property under control of personal representative.

Auction of Wizard of Oz Dress Amid Ownership Battle

A blue-and-white dress worn by Judy Garland is the subject of a dispute between Catholic University and the family of its former drama chairman.

By Eduardo Medina
May 23, 2022

A federal judge on Monday blocked Catholic University from auctioning off a memorable white-and-blue dress worn by Judy Garland in "The Wizard of Oz" after a Wisconsin woman filed a lawsuit claiming she was the rightful owner of the gingham pinafore garment donned by Dorothy.

Judge Paul G. Gardephe of U.S. District Court in Manhattan granted a preliminary injunction a day before the dress was scheduled to be auctioned in Los Angeles, where it had been expected to sell for more than \$1 million. Catholic University had planned to use that money to endow a new faculty position in the Rome School of Music, Drama and Art.

Judge Gardephe ruled that the dress could not be sold by Catholic University until the lawsuit was resolved. Both sides are set to meet in court on June 9.

In her lawsuit, filed earlier this month, Barbara Ann Hartke claims the dress belonged to the estate of her uncle, the Rev. Gilbert Hartke, who was once chairman of the university's drama department and received the dress as a gift in 1973 from the Academy Award-winning actress Mercedes McCambridge, who was also an artist in residency at the university.

Ms. McCambridge had "specifically and publicly" given the dress to Mr. Hartke as a demonstration of gratitude for "helping her battle alcohol substance abuse," the lawsuit states.

Mr. Hartke died in 1986, and Ms. Hartke says she is his closest living heir.

The lawsuit states that Ms. McCambridge was a "close confidant" of Ms. Garland, but it is unclear exactly how she obtained the dress. The university has contended that the dress was a gift from Mr. Hartke, and that it was his wish for it to be kept within the institution.

Shawn Brenhouse, a lawyer for Catholic University, said in a statement on Monday night that the judge's decision "was preliminary and did not get to the merits of Barbara Hartke's claim to the dress."

"We look forward to presenting our position, and the overwhelming evidence contradicting Ms. Hartke's claim, to the court in the course of this litigation," Mr. Brenhouse said.

Anthony Scordo III, a lawyer for Ms. Hartke, did not immediately respond to an email seeking comment on Monday night.

The fragile dress has become legend ever since Ms. Garland wore it in the Technicolor classic in 1939, complementing the plaid look with ruby-red slippers sought by the Wicked Witch. Ms. Garland wore several versions of the dress, but only one other is known to still exist. It was sold in 2012 by Julien's Auctions for \$480,000. In 2015, it sold again for nearly \$1.6 million.

The location of the second dress had been a mystery until it was found by chance last year in a shoe box, inside a bag, sitting on top of faculty mailboxes. Matt Ripa, a lecturer and operations manager at the drama school, found the bag when he was cleaning up the area in preparation for renovations of the Hartke Theater.

The Smithsonian's National Museum of American History helped authenticate the dress, which includes a fitted bodice, a high-necked blouse and a full skirt, with a fabric label inside inscribed "Judy Garland 4223."

Ms. Hartke claims in her lawsuit that her family was never made aware of the discovery by the university. They had known a dress existed, and were surprised to read headlines about preparations to auction it off "without any compensation to its rightful owners," the lawsuit states.

"There is no documentation demonstrating that" Mr. Hartke ever donated the dress to Catholic University, according to the lawsuit.

<https://www.nytimes.com/2022/05/23/arts/wizard-of-oz-dress-auction.html>

1/1

WHEREFORE, the petitioner prays that petitioner(s) be appointed personal representative(s) of the decedent's estate in (abbreviated) (standard) probate proceeding, and that the (court find that the decedent died intestate) (will dated) _____ and codicil(s) dated _____

admitted to probate and record) and that the additional relief be granted.
Respectfully request the Estate be re-opened

DECLARATION OF PETITIONER

I do solemnly declare and affirm under the penalty of law that the contents of the foregoing petition are true and correct to the best of my knowledge, information and belief.

☒ I am a member of the D.C. bar and hereby guarantee court costs.

Rodney C. Mitchell
Signature of Attorney

Rodney C. Mitchell
Signature of Petitioner

(202) 220-5484
Telephone

Rodney C. Mitchell
Typed Name of Attorney

1050 30th Street NW
Attorney's Address

Wash. D.C. 20007
(202) 210-1223

489439
Telephone Number

Unified Bar Number

rodiney@mitchelldclaw.com

E-mail address (optional)

Signature of Petitioner
Telephone

Signature of Petitioner
Telephone

ACCEPTANCE AND CONSENT OF EACH PERSONAL REPRESENTATIVE

I do hereby accept the duties of the office of personal representative of the estate of _____ deceased, and
Gilbert V. Harke

consent to personal jurisdiction in any action brought in the District of Columbia against me as personal representative or arising from the duties of the office of personal representative pursuant to D.C. Code, sec. 20-501.

Gilbert V. Harke
Signature of Petitioner

Signature of Petitioner

September 2010 - 1108.10.v1

POWER OF ATTORNEY

To be Executed by Each Non-resident Personal Representative

Pursuant to D.C. Code, sec. 20-303(b)(7), I do hereby irrevocably appoint the Register of Wills and successors in office as the person upon whom all notices and process issued by a competent court in the District of Columbia may be served with the same effect as personal service in relation to all suits or matters pertaining to the estate in which the letters are to issue.

Barbara G. Hartke
(Signature) 705 South Lakeshore Dr. #2H, Lake Geneva
Address (Actual address/not Post Office Box)

(Signature) Wisc. 53147
Address (Actual address/not Post Office Box)

(Signature) Address (Actual address/not Post Office Box)

1986 ADM 001663

Estate of

GILBERT V. HARTKE

Deceased

Age 79

Abbreviated Probate Order

(For estates of decedents dying on or after January 1, 1981 through June 30, 1995)

Upon consideration of the petition for abbreviated probate, acceptance and consent of each personal representative, a power of attorney by each non-resident, and a (general) (nominal) bond in the amount of _____, all having been filed herein, it is this _____ day of _____, 20____,

ORDERED, that the bond heretofore filed is approved, and Barbara A. Hartke

Gilbert V. Hartke

(is) (are) appointed personal representative(s) of the estate of

ORDERED, that the will dated _____, deceased, and it is further, _____ and codicil(s) dated _____

_____ accompanying the petition (is) (are) admitted to probate and record as the last will and testament of the aforesaid decedent, and it is further

ORDERED, that

- ☐ the sum of \$10,000 is hereby allowed from the personal estate to _____ as surviving spouse and/or custodian of decedent's minor child(ren) in accordance with law.
- ☐ Provided that the said personal representative(s) shall file an additional bond in an amount to be fixed by the Court before accepting assets in excess of the stated amount.

JUDGE

cc: Include Attorney of Record and Personal Representative,
Rodney C. Mitchell
1050 30th Street, NW
Wash. D.C. 20007

Barbara A. Hartke
705 South Lakeshore Dr. #2H
Lake Geneva, Wisc. 53147

Personal Identification Information (Form 26)

1986 ADM UUT663
INT/IDD
SEB
GDN

Estate of GILBERT V. HARTKE
decedent/minor/adult ward/custodian

Name/ Relationship To Case	Address	Telephone Number	Date of Birth	Driver's License	Social Security Number
Eugene Hartke DECEASED					
Edna T. Harke DECEASED					
Barbara A. Hartke neice/ heir/petitioner	705 South Lakeshore Dr. #2H,	(262) 220-5484	TBD	TBD	TBD
	Lake Geneva, Wisc. 53147				
Inez Kuipers Bucher neice/heir	Unknown-- possibly deceased	TBD	TBD	TBD	TBD
Katherine Faith Prior creditor	DECEASED				
The Art and Music Exchange creditor	235 Gallatin St. NW WDC 20011	TBD	TBD	TBD	TBD

Driver's license, birthdates and Social Security numbers will be recorded in a secure Court database and the information will be available only to authorized Court personnel, unless otherwise included in the public record.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
PROBATE DIVISION

1986 ADM 001663

GILBERT V. HARTKE

Name of Decedent

Rodney C. Mitchell

1050 30th Street, NW

Washington, DC 20007

Name and Address of Attorney

Notice of Appointment, Notice to Creditors and Notice to Unknown Heirs
Barbara A. Hartke

address(es) (is/are) 705 South Lakeshore Dr. # 2H Lake Geneva Wisc. 53147, whose

(was/were) appointed Personal Representative(s) of the estate of
Gilbert V. Hartke

who died on Feb. 21 1986

(with/without) a Will and will service (with/without) Court supervision. All unknown heirs and heirs
whose whereabouts are unknown shall enter their appearance in this proceeding. Objections to such
appointment (or to the probate of decedent's Will) shall be filed with the Register of Wills, D.C.,
Building A, 515 5th Street, N.W., 3rd Floor, Washington, D.C. 20001, on or before

_____. Claims against the decedent shall be presented to the
undersigned with a copy to the Register of Wills or filed with the Register of Wills with a copy to the
undersigned, on or before _____, or be forever barred. Persons believed to be heirs
or legatees of the decedent who do not receive a copy of this notice by mail within 25 days of its
publication shall so inform the Register of Wills, including name, address and relationship.

Date of first publication: _____

Barbara A. Hartke

Name of newspaper and/or periodical:

DWLR

To be signed by Personal Representative(s)

(202) 220-5484

Telephone Number of Personal
Representative(s)

DC Jewish Weekly

TRUE TEST COPY

Register of Wills

Personal Identification Information (Form 26)

1986 ADM 001663

1986 ADM 001663
INT/IDD
SEB
GDN

Estate of GILBERT V. HARTKE

decedent/minor/adult ward/custodian

Name/ Relationship To Case	Address	Telephone Number	Date of Birth	Driver's License	Social Security Number
Eugene Hartke DECEASED					
Edna T. Harke DECEASED					
Barbara A. Hartke neice/ heir/petitioner	705 South Lakeshore Dr. #2H,	(262) 220-5484	TBD	TBD	TBD
	Lake Geneva, Wisc. 53147				
Inez Kuipers Bucher neice/heir	Unknown-- possibly deceased	TBD	TBD	TBD	TBD
Katherine Faith Prior creditor	DECEASED				
The Art and Music Exchange creditor	235 Gallatin St. NW WDC 20011	TBD	TBD	TBD	TBD

Driver's license, birthdates and Social Security numbers will be recorded in a secure Court database and the information will be available only to authorized Court personnel, unless otherwise included in the public record.

